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U.S. DISTRICT COURT  
DISTRICT OF MASS

RAFAEL FONTANEZ

90455-038

FEDERAL CORRECTION INSTITUTION

P. O. Box 7000 WEST

FT. DIX, NEW JERSEY 08640

March 12, 2004

CLERK OF COURT

FEDERAL BUILDING AND COURTHOUSE

1550 MAIN STREET

SPRINGFIELD, MASS. 01103

Re: Case No.: 04-CO-30007-MAP, "SYNTAX CORRECTIONS TO MOTION  
FOR LEAVE TO AMEND PURSUANT TO RULE 15(a)"

Dear Clerk,

With excusable exigency, petitioner would like the record to reflect that the "MOTION FOR LEAVE TO AMEND PURSUANT TO RULE 15(a)", filed on FEBRUARY 24, 2004, should properly read " MOTION FOR LEAVE TO SUPPLEMENT PURSUANT TO RULE 15(d)". Petitioner inadvertently confused sub-section (a) of Rule 15 and its language for sub-section (d) and its pertaining language. In all honesty, petitioner is laboring under a lack of legal understanding of the intended meaning of the aforementioned two sub-sections under Rule 15.

In any event, petitioner feels Rule 15(d) more appropriately characterizes his additional pleading, and request that it be corrected accordingly.

(1)

Therefore, petitioner exercises the rights available to Pro Se litigants under HAINES v. KERNER, 404 U.S. 519, 520-21 (1972), and ask this honorable court to construe petitioner's supplemental pleading as an additional ground in support of petitioner's INEFFECTIVE ASSISTANCE OF COUNSEL CLAIM.

Respectfully submitted,

Rafael Fontanez

CERTIFICATE OF SERVICE

I, RAFAEL FONTANEZ, do hereby certify and attest that I have placed the foregoing in the prison mail box pursuant to Houston v. Lack, 487 U.S. 266 (1988), on this 12<sup>th</sup> day of March of 2004.

Rafael Fontanez